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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,167

Applicant(s)

BENNETT ET AL.

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. Claims 1, 2-22 and 24-40 are subject to examination. Claims 2 and 23 are cancelled.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection.

Examiner would like to thank the Applicant for providing further explanation on the claim 1 and 22 as being "reformatting said associated message routing information in a format specified by said corresponding routing format information, wherein the reformatting is transparent to a sender and receiver of the message and the message body remains unchanged".

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2-22 and 24-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Carey et al. (hereinafter Carey) (US 2004/0171396 A1).

**Referring to claim 1,**

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Carey teaches a method executed in a computer system for routing a message from a sender in a first digital mobile network to an intend receiver in a second different digital mobile network, the message comprising a message body and associated message routing information, (Fig. 1, element 22) the method comprising:

forwarding said message to a server (Fig. 1, element 22) froth said sender, said server being connectable to said first and said second digital mobile network (Page 2, para.[0021], "Each user profile includes a list of instant message names with each name assigned to an address (phone number). The routing server 24 is in communication with one or more short message service centers (SMSC) 32 that is in communication with one or more wireless mobile carriers 34. Each wireless mobile carrier 34 supports subscribing users operating mobile unit devices 36, such as a hand-held cell phone, a bag phone or a vehicle phone.");

relating, using a routing database, a receiver identifier, the receiver identifier being contained in the associated message routing information and associated with the intended receiver, to corresponding routing path format information associated with the second digital mobile network (page 2, para.[0024],[0025];

reformatting said associated message routing information in a format specified by said corresponding routing format information, wherein the reformatting is transparent to a sender and receiver of the message and the message body remains unchanged (Page 3, para.[0028], "If the formatted data

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does include address data assigned to an instant message routing server 24, the formatted data is reformatted according to the predefined protocol used to communicate information between the short message service center 32 and the instant message routing server 24 and then sent to the instant message routing server 24, block 90.”)

and forwarding said message to said receiver in accordance with the reformatted associated message routing information.(page 3, para.[0026], [0029], Fig.1)

**Referring to claim 3,**

Carey teaches the method of claim 1, wherein said message is a short message service message. (Fig. 1, element 32).

**Referring to claim 4,**

Carey teaches the method of claim 2, wherein the sender sends the message and the receiver receives the message using at least one of:

digital mobile device connected to the internet,, digital mobile device connected to the server through a service center of an associated mobile network operator, and computer system connected to the internet. (Fig. 1, elements 32, 34 and 36).

**Referring to claim 5,**

Carey teaches the method of claim 1, further comprising: performing a first query using the routing database to determine a countrywide mobile identification number format of a country associated with the receiver (page 3, para.[0029]).

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**Referring to claim 6,**

Carey teaches the method of claim 5, further comprising: performing a second query using the routing database to determine if information identifying the receiver is included in the routing database (page 3, para.[0029]).

**Referring to claim 7,**

Carey teaches the method of claim 6, further comprising: performing a third query using the routing database to determine said routing information associated with the second digital mobile network of the receiver, said routing information including at least one oh format of a message, electronic mail address format, and message delivery method (page 3, para.[0029]).

**Referring to claim 8,**

Carey teaches the method of claim 7, wherein said routing information including a message delivery method uses one of a direct connection to an operator, an application, and e-mail connection (page 3, para.[0029],[0030]).

**Referring to claim 9,**

Carey teaches the method of claim 1, further comprising: polling said server by the sender for data (page 2, para.[0024]).

**Referring to claim 10,**

Carey teaches the method of claim 9, further comprising: communicating a request for data to said server (page 2, para.[0024]).

**Referring to claim 11,**

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Carey teaches the method of claim 10, wherein said communicating a request for data to said server further comprises: directly sending a message to the server requesting information (page 2, para.[0024]).

**Referring to claim 12,**

Carey teaches the method of claim 10, wherein said communicating a request for data to said server, further comprises:

communicating the request for data to a messaging service center in said first digital mobile network; polling, by said server, the messaging service center for the request; and transmitting the request to said server. (page 2, para. [0022], [0024]).

**Referring to claim 13,**

Carey teaches the method of claim 12, wherein the request includes a keyword, said keyword being one of a command and a phone number. (page 2, para. [0025]).

**Referring to claim 14,**

Carey teaches the method of claim 13, wherein the request is for at least one of stock information, weather information for a particular location identified in the message, and an application (page 3, para. [0029],[0030]).

**Referring to claim 15,**

Carey teaches the method of claim 14, wherein said a requested application is at least one of a game, ringtones in connection with audio tones, and a chat service (page 3, para. [0029],[0030]).

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**Referring to claim 16,**

Carey teaches the method of claim 1, wherein said sender is sending the message to a plurality of users, each of said plurality of users receiving the message being on different digital mobile networks.

**Referring to claim 17,**

Carey teaches the method of claim 16, further comprising: determining which of said plurality of users receiving the message are included in a buddy list, said buddy list including user specific information for message recipients; and reformatting said message in accordance with a format associated with a particular digital mobile networks network for each of said plurality of users on different digital mobile networks (page 2, para.[0021], page 3, para. [0028]).

**Referring to claim 18,**

Carey teaches the method of claim 17, farther comprising: determining if a message recipient is within the first digital mobile network of said sender. (page 2, para.[0021]).

**Referring to claim 19,**

Carey teaches the method of claim 18, further comprising:  
reformatting an electronic mailing address from a first format associated with said first digital mobile network to a second format associated with, the second digital mobile network (page 2, para.[0021], page 3, para.[0028],[0029]).

**Referring to claim 19,**

Carey teaches the method of claim 1, wherein said computer system includes said server and a plurality of different digital mobile networks, said plurality of



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different digital mobile networks including said first and said second digital mobile networks, communications within said computer system being represented as a hub-like structure with said server as the center and each of said plurality of digital mobile networks being a spoke extending from said server, all communications between any two of said plurality of digital mobile networks being facilitated by said server. (page 2, para.[0021])

**Referring to claim 19,**

Carey teaches the method of claim 20, wherein the message is sent between a sender and receiver independent of operator, location, and network protocols using said server. (Fig. 1, para.[0021]).

**Referring to claim 22,**

Claim 22 is a claim to a computer program product when executed performs the steps of method of claim 1. Therefore claim 22 is rejected for the reasons set forth for claim 1 .

**Referring to claim 24,**

Claim 24 is a claim to a computer program product when executed performs the steps of method of claim 3. Therefore claim 24 is rejected for the reasons set forth for claim 3 .

**Referring to claim 25,**

Claim 25 is a claim to a computer program product when executed performs the steps of method of claim 4. Therefore claim 25 is rejected for the reasons set forth for claim 4 .

**Referring to claim 26,**

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Claim 26 is a claim to a computer program product when executed performs the steps of method of claim 5. Therefore claim 26 is rejected for the reasons set forth for claim 5 .

**Referring to claim 27,**

Claim 27 is a claim to a computer program product when executed performs the steps of method of claim 6. Therefore claim 27 is rejected for the reasons set forth for claim 6 .

**Referring to claim 28,**

Claim 28 is a claim to a computer program product when executed performs the steps of method of claim 7. Therefore claim 28 is rejected for the reasons set forth for claim 7.

**Referring to claim 29,**

Claim 29 is a claim to a computer program product when executed performs the steps of method of claim 9. Therefore claim 29 is rejected for the reasons set forth for claim 9.

**Referring to claim 30,**

Claim 30 is a claim to a computer program product when executed performs the steps of method of claim 10. Therefore claim 30 is rejected for the reasons set forth for claim 10.

**Referring to claim 31,**

Claim 31 is a claim to a computer program product when executed performs the steps of method of claim 11. Therefore claim 31 is rejected for the reasons set forth for claim 11.

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**Referring to claim 32,**

Claim 32 is a claim to a computer program product when executed performs the steps of method of claim 12. Therefore claim 32 is rejected for the reasons set forth for claim 12.

**Referring to claim 33,**

Claim 33 is a claim to a computer program product when executed performs the steps of method of claim 13. Therefore claim 33 is rejected for the reasons set forth for claim 13.

**Referring to claim 34,**

Claim 34 is a claim to a computer program product when executed performs the steps of method of claim 14. Therefore claim 34 is rejected for the reasons set forth for claim 14.

**Referring to claim 35,**

Claim 35 is a claim to a computer program product when executed performs the steps of method of claim 16. Therefore claim 35 is rejected for the reasons set forth for claim 16.

**Referring to claim 36,**

Claim 36 is a claim to a computer program product when executed performs the steps of method of claim 17. Therefore claim 36 is rejected for the reasons set forth for claim 17.

**Referring to claim 37,**

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Claim 37 is a claim to a computer program product when executed performs the steps of method of claim 18. Therefore claim 37 is rejected for the reasons set forth for claim 18.

**Referring to claim 38,**

Claim 38 is a claim to a computer program product when executed performs the steps of method of claim 19. Therefore claim 38 is rejected for the reasons set forth for claim 19.

**Referring to claim 39,**

Claim 39 is a claim to a computer program product when executed performs the steps of method of claim 20. Therefore claim 39 is rejected for the reasons set forth for claim.20.

**Referring to claim 40,**

Claim 40 is a claim to a computer program product when executed performs the steps of method of claim 21. Therefore claim 40 is rejected for the reasons set forth for claim 21.

***Conclusion***

**Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially

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teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp

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